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1 IN THE UNITED STATES DISTRICT COURT FOR THE  
2 NORTHERN DISTRICT OF OKLAHOMA

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W. A. DREW EDMONDSON, in his )

5 capacity as ATTORNEY GENERAL )

OF THE STATE OF OKLAHOMA and )

6 OKLAHOMA SECRETARY OF THE )

ENVIRONMENT C. MILES TOLBERT,) )

7 in his capacity as the )

TRUSTEE FOR NATURAL RESOURCES)

8 FOR THE STATE OF OKLAHOMA, )

)

9 Plaintiff, )

)

10 vs. )4:05-CV-00329-TCK-SAJ

)

11 TYSON FOODS, INC., et al, )

)

12 Defendants. )

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14 VOLUME I OF THE VIDEOTAPED

15 30(b)(6) DEPOSITION OF TEENA GUNTER, produced

16 as a witness on behalf of the Defendants in the

17 above styled and numbered cause, taken on the 27th

18 day of August, 2008, in the City of Oklahoma City,

19 County of Oklahoma, State of Oklahoma, before me,

20 Lisa A. Steinmeyer, a Certified Shorthand Reporter,

21 duly certified under and by virtue of the laws of

22 the State of Oklahoma.

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Gunter, 30(b)(6), Teena 8/27/2008

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1 Q We need to change tapes, so let's take a

2 break.

3 VIDEOGRAPHER: We're now off the Record.

4 The time is 11:16 a.m.

5 (Following a short recess at 11:16 11:16AM

6 a.m., proceedings continued on the Record at 11:36

7 a.m.)

8 VIDEOGRAPHER: We are back on the Record.

9 The time is 11:36 a.m.

10 Q Okay. We were talking about CAFOs before we 11:36AM

11 went on break. You have the Three Springs Farm and

12 Winninger Poultry and Dairy. Are there any other

13 CAFOs, regardless of whether they are poultry or

14 not, in the IRW?

15 A I didn't pull that list because it wasn't one 11:36AM

16 of the questions on here.

17 Q Okay.

18 A They were related to poultry.

19 Q Okay. Do you know if there are other CAFOs,

20 non-poultry CAFOs? 11:37AM

21 A I couldn't speculate without looking at the

22 list.

23 Q Okay. I'm going to use my tools language

24 again. What tools does ODAFF have to regulate

25 non-point source pollution in the Illinois River 11:37AM

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1 watershed?

2 A The CAFO Act and the Poultry Act and the Swine

3 Feeding Operations Act all contain provisions from

4 regulating runoff.

5 Q Okay. Would you consider a TMDL to be a 11:37AM

6 non-point source tool?

7 A It would be one tool.

8 Q Okay. Do you know if there's a TMDL in the

9 Illinois River watershed?

10 A Not to my knowledge. 11:38AM

11 Q Do you know whether ODAFF has provided any

12 information for the development of the TMDL in the

13 Illinois River watershed?

14 A In the past we provided DEQ some information

15 related to the watershed. 11:38AM

16 Q And do you know what that information was?

17 A It was listings of operations, locations of

18 operations that we had contained in our databases.

19 Q Okay, and were those operations point source

20 operations or potential non-point source operations? 11:38AM

21 A Would have been anyone that was listed in our

22 database regulated by the CAFO poultry or today the

23 Swine Feeding Operations Act.

24 Q Okay. Do you know whether you provided any

25 information or assumptions to DEQ with regard to 11:38AM